

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	AMENDED FINAL
-v.-	:	ORDER OF FORFEITURE
	:	<u>AS TO CERTAIN PROPERTY</u>
HICHAM KABBAJ,	:	
	:	20 Cr. 008 (RMB)
Defendant.	:	
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WHEREAS, on or about January 27, 2020, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (D.E. 24), forfeiting to the United States, *inter alia*, all right, title and interest of HICHAM KABBAJ (the “Defendant”), *inter alia*, in the following assets:

- a. All that lot or parcel of land, together with its building, appurtenances, improvements, fixtures, attachments and easements, located at 7729 Eden Ridge Way, Palm Beach Gardens, Florida 33412 (the “Palm Beach Property”);
- b. All that lot or parcel of land, together with its building, appurtenances, improvements, fixtures, attachments and easements, located at 663 Lakeshore Drive, Hewitt, New Jersey 07421 (the “Hewitt Property”);

(a. and b., collectively, the “Specific Property”);

WHEREAS, the full legal description of the Palm Beach Property is 7729 Eden Ridge Way, Palm Beach Gardens, Florida 33412, Lot 153, Bayhill Estates P.U.D., according to the Plat thereof as recorded in Plat Book 110, page(s) 16, of the Public Records of Palm Beach County, Florida;

WHEREAS, the full legal description of the Hewitt Property is 663 Lakeshore Drive, Hewitt, New Jersey 07421, Block 1816, Lot 17;

WHEREAS, both the Palm Beach Property and the Hewitt Property are titled in the name of the Defendant and his wife Mounia Kabbaj;

WHEREAS, on or about April 28, 2020, notice of the Preliminary Order of Forfeiture was sent by Federal Express or certified mail, to:

- i. Mounia Kabbaj, West Palm Beach, FL 33412;
- ii. Mounia Kabbaj, Hewitt, NJ 07421;
- iii. MERS, P.O. Box 2026, Flint, MI 48501-2026;
- iv. Anne M. Gannon, Constitutional Tax Collector, P.O. Box 3353, West Palm Beach, FL 33402-3353;
- v. Bank of America, N.A., 4500 Amon Carter Blvd., Doc Proc TX2-979-01-19, Fort Worth, TX 76155; and
- vi. Township of West Milford, 1480 Union Valley Road, West Milford, NJ 07480;

(collectively, the “Noticed Parties”);

WHEREAS, the Notice of Forfeiture and the intent of the Government to dispose of the Real Properties was posted on an official government internet site (www.forfeiture.gov) beginning on May 23, 2020 for thirty (30) consecutive days, through June 21, 2020, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, and proof of such publication was filed with the Clerk of the Court on March 9, 2022 (D.E. 50);

WHEREAS, the Defendant and the Noticed Parties are the only individuals and/or entities known by the Government who had a potential interest in the Real Properties;

WHEREAS, after final publication of the Notice of Forfeiture, thirty (30) days expired and no petitions or claims were filed by Noticed Parties, including Mounia Kabbaj, or by any other third party, to contest the forfeiture of the Real Properties;

WHEREAS, pursuant to Title 21, United States Code, Section 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest

the forfeiture have been filed within thirty (30) days of final publication of notice of forfeiture as set forth in Title 21, United States Code, Section 853(n)(2); and

WHEREAS, on or about March 29, 2022, the Court entered a First Final Order of Forfeiture (D.E. 57) (the “Final Order of Forfeiture”), forfeiting all right, title and interest in, *inter alia*, the Real Properties to the United States; and

WHEREAS, in order to convey clear title to the Real Properties to the Government, Mounia Kabbaj’s interest must be explicitly forfeited;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the Real Properties, including any interest of Mounia Kabbaj, is hereby forfeited and vested in the United States of America, and shall be disposed of according to law.

2. Pursuant to Title 21, United States Code, Section 853(n)(7) the United States of America shall and is hereby deemed to have clear title to the Real Properties.

3. United States Department of Treasury (or its designee) shall take possession of the Real Properties and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

4. The Final Order of Forfeiture is amended only as to the Real Properties, and should in all other respects remain unchanged and fully incorporated herein.

Dated: New York, New York
2/20, 2024

SO ORDERED:

Handwritten signature of Richard M. Berman in black ink.

HONORABLE RICHARD M. BERMAN
UNITED STATES DISTRICT JUDGE